

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

NICK EUBANKS, et al.

CIVIL ACTION NO. 05-1532

-vs-

JUDGE TRIMBLE

JAMES E. JORDAN, et al.

SUPPLEMENTAL MEMORANDUM RULING

On 11 January 2006, the court issued a judgment [Doc. #27] granting a motion to dismiss certain claims filed by one of the defendants, the Winn Parish Police Jury ("Police Jury") [#16]. The Police Jury was subsequently dismissed without prejudice [#31] from the case on 8 February 2006 due to a stipulation of the parties [#28]. FED. R. CIV. P. 41(a)(1)(ii).

In the motion to dismiss, the Police Jury asked "that the court grant its Motion dismissing certain claims by Nick E. Eubanks, at the Plaintiff's cost." Def.'s Mot. 1. In addition, in the memorandum in support of the motion to dismiss, the Police Jury asked that the "court grant its motion dismissing the Plaintiff's claims, with prejudice, at the Plaintiff's costs; and, that defendant be awarded reasonable attorney's fees." Def.'s Mem. 7.

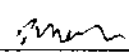
A motion for fees "must specify the judgment and the statute, rule, or other grounds entitling the moving party to the award" and it must also specify the amount of fees or provide a reasonable estimate. FED. R. CIV. P. 54(d)(2)(B). The Police Jury's motion, however, contains no reference to the grounds for recovery or the amount of fees requested. The Police Jury is therefore not entitled to attorney's fees based on this motion.

CONCLUSION

Based on the foregoing reasoning, the Police Jury's motion for attorney's fees will be DENIED.

Alexandria, Louisiana

26 May 2006



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE